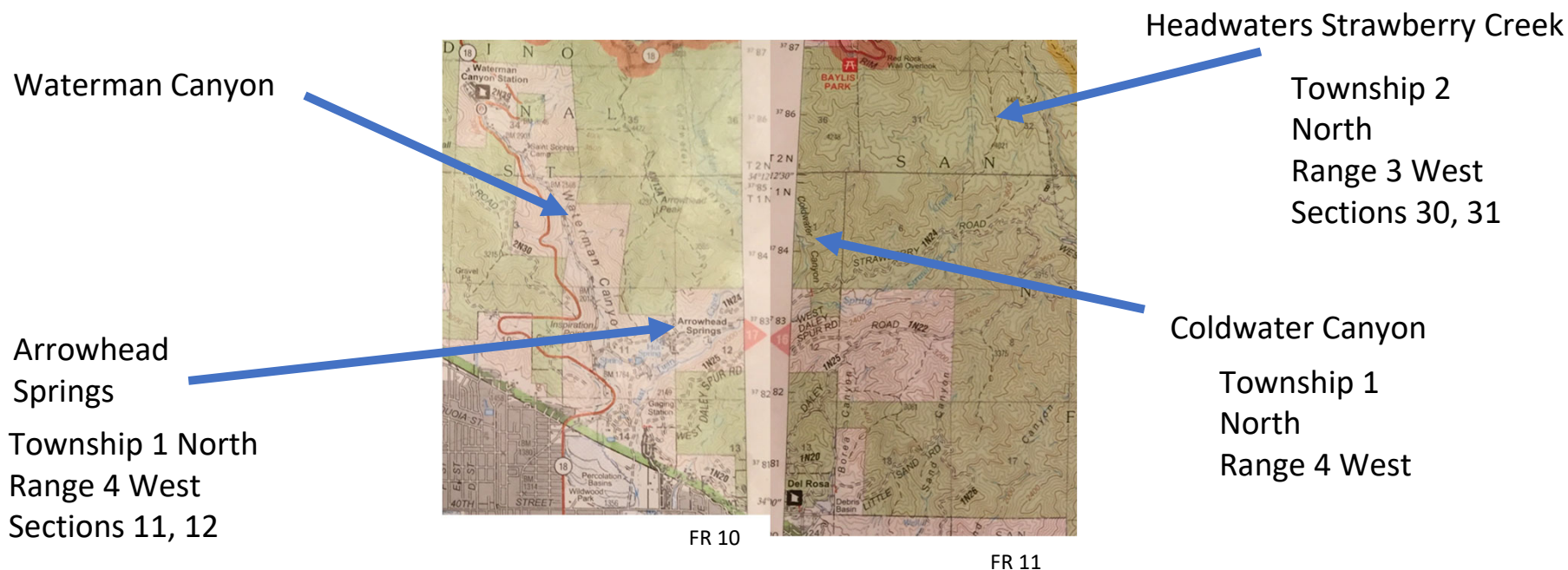


Exhibit 14

Amanda Frye Sur-Rebuttal Summary of Testimony

State Water Resources Control Board, Division of Water Rights
Enforcement Branch v. BlueTriton Brands, Inc. (INV 8217)

Arrowhead Springs Location



Source: FR 9 through 12
San Bernardino National Forest Atlas

Arrowhead Springs Location

Arrowhead Hot Springs Co. v. Arrowhead Cold Springs Co.

Case No. 12532 Complaint (June 17, 1912)

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,
IN AND FOR THE COUNTY OF SAN BERNARDINO.

ARROWHEAD HOT SPRINGS COMPANY,
a corporation,

Plaintiff,

v.

ARROWHEAD COLD SPRINGS COMPANY,
a corporation,

Defendant.

COMPLAINT.

The plaintiff, for cause of action against
the defendant, alleges:

1.- At and during all the times herein
mentioned the plaintiff and the defendant each
was, and it now is, a corporation, organized and
existing under the laws of the State of California.

2.- At and during all the times herein
mentioned the plaintiff was, and it now is, the
owner of and in the possession of and entitled to
the possession of all that certain real property
situate in the county of San Bernardino, State of
California, known as the Arrowhead Hot Springs
place, and particularly described as follows:

The West half (W.½) of the Southwest Quarter
(S.W.¼) of Section Two (2); the East half (E.½)
of the Northeast Quarter (N.E.¼) of Section Three
(3); all of section Eleven (11), except the North
half (N.½) of the Northeast Quarter (N.E.¼); the
the Northwest Quarter (N.W.¼), the North half (N.½)
of the Southwest Quarter (S.W.¼), the Northwest
Quarter (N.W.¼) and South Half (S.½) of the North-
east Quarter (N.E.¼), and the North half (N.½) of

the Southeast Quarter (S.E.¼), of section Twelve (12)
all the foregoing being in Township One (1) North,
Range Four (4) West, San Bernardino base and
meridian; and all of section Seven (7), in Township
One (1) North, Range Three (3) West, said base and
meridian, containing in all Eighteen hundred (1800)
acres, more or less.

3.- At and during all said times there have
been and there now are upon said lands certain
natural hot springs, from which constantly flow
small streams of hot water, naturally charged with
various mineral substances, of such kind and in such
amounts and proportions as to make such waters
medicinal in character, and of great value and
efficacy in the treatment of various diseases;
and also during all said times there have been and
there now are upon said lands certain natural springs
from which constantly flow small streams of cold
water, of exceptional purity, and of great and
special value for drinking purposes; and during all
said times said lands have been, and they now are,
chiefly valuable for and on account of said hot
waters and cold waters arising from said springs
thereon, and because of the special character and
value of said waters as aforesaid.

9.- Said lands comprise a locality that has
been and is commonly and extensively known as
Arrowhead, and said springs have been and are
commonly and extensively known as Arrowhead springs,
and said waters have been and are commonly and
extensively known as Arrowhead waters, and said
buildings have been and are commonly and extensively
known by the general name of Arrowhead hotel, and said

-4-

Source: FR 26_1-2, 4
Complaint (June 1912)

Describes real property where
water was taken—all in
Township 1 North, at the base
of Arrowhead Mountain,
below the Arrowhead.

Arrowhead Springs Location

HOT SPRINGS.

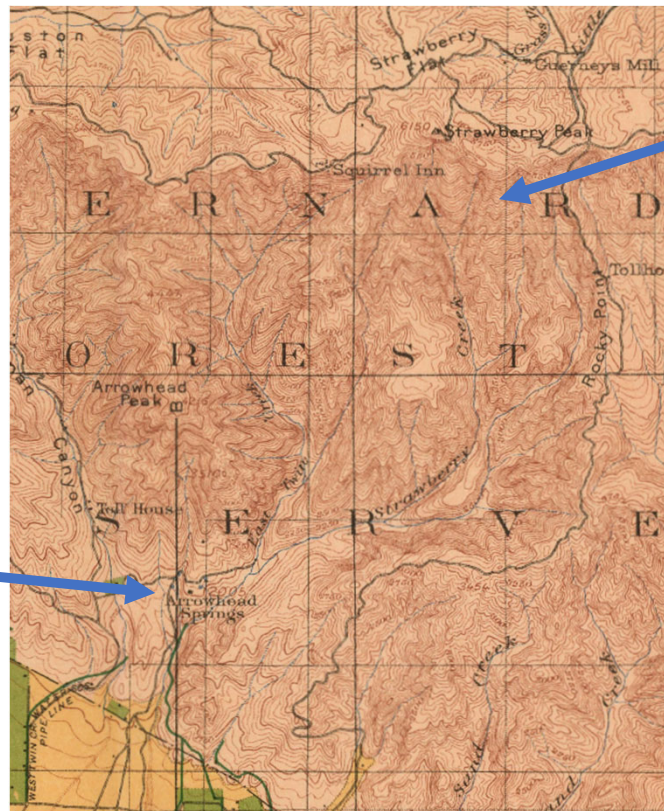
ARROWHEAD HOT SPRINGS (SAN BERNARDINO 36).

Along the western base of the San Bernardino Mountains in southern California hot springs issue at several places. The largest group, Arrowhead Hot Springs, is situated on the granitic slopes about 7 miles east of north from San Bernardino and about 500 feet above the valley land. The approximate position of these springs is marked on the mountain side above them by an area of scanty vegetation in the shape of an arrowhead several acres in extent (Pl. IV, A). Indian legends associate this peculiar landmark with the springs, and the early immigrants also attached significance to the remarkable sign.

SOS 002_030

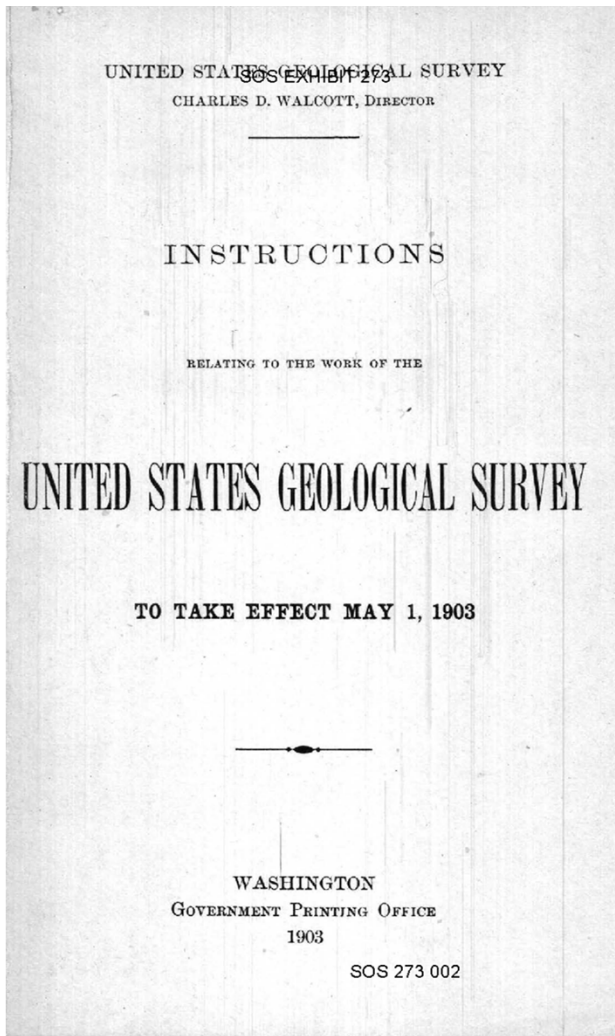
Waring (USGS) (1915)

Arrowhead
Springs



Headwaters of
Strawberry Creek

Source: SOS 091
Lippencott Topo Map
(USGS) (1905) ("The 1905
USGS Map")



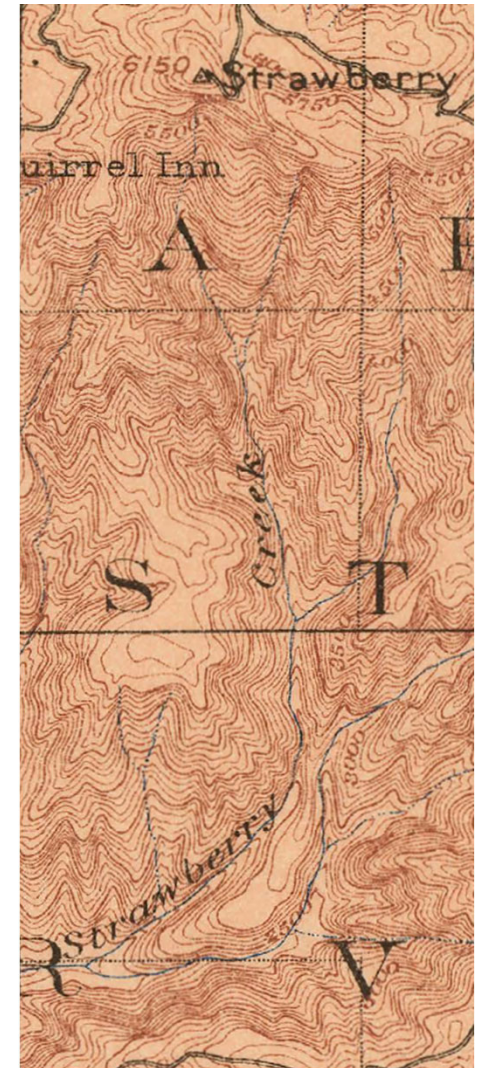
SOS 273_002
USGS (1903)

USGS Mapping Conventions Were the Same or Similar in 1905

6. In drawing streams care should be taken that the lines shall not become faint and uncertain near the sources of the streams, and the placing of drainage in every little gully simply to indicate that it may be a water course should be avoided. Use the symbol dash and three dots for intermittent streams.

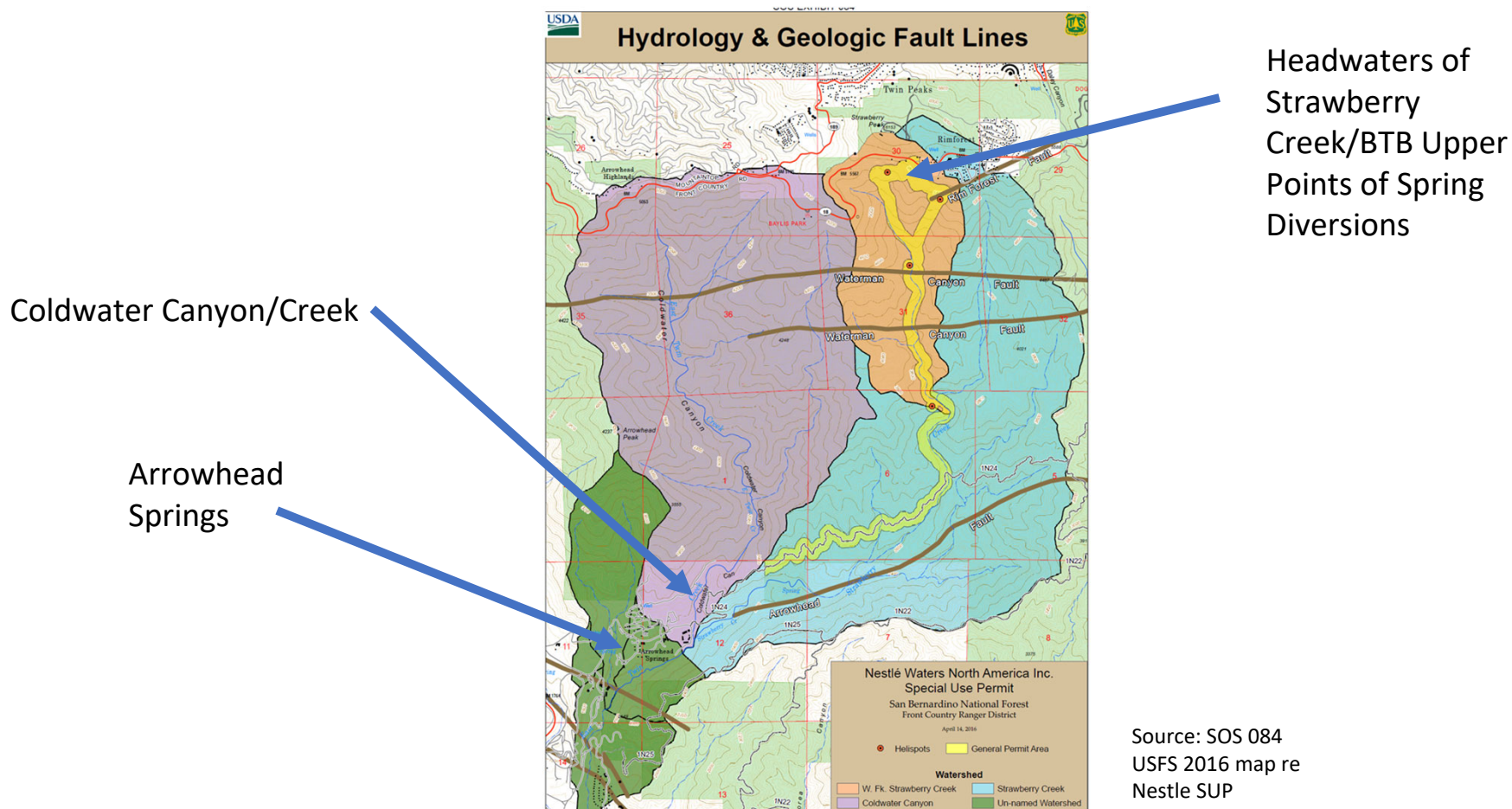
SOS 273_073
USGS (1903)

Strawberry Creek is shown as a dashed blue line (intermittent) from its headwaters to 4,400 feet and then a solid (perennial) stream from there down.



SOS 091
Lippencott Topo Map
USGS (1905)

Arrowhead Springs Location



Source: SOS 084
USFS 2016 map re
Nestle SUP

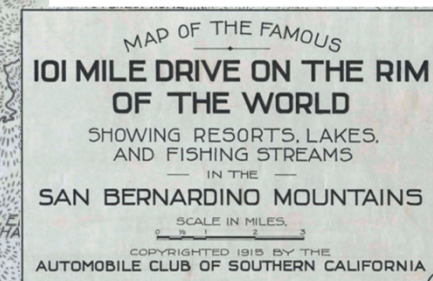
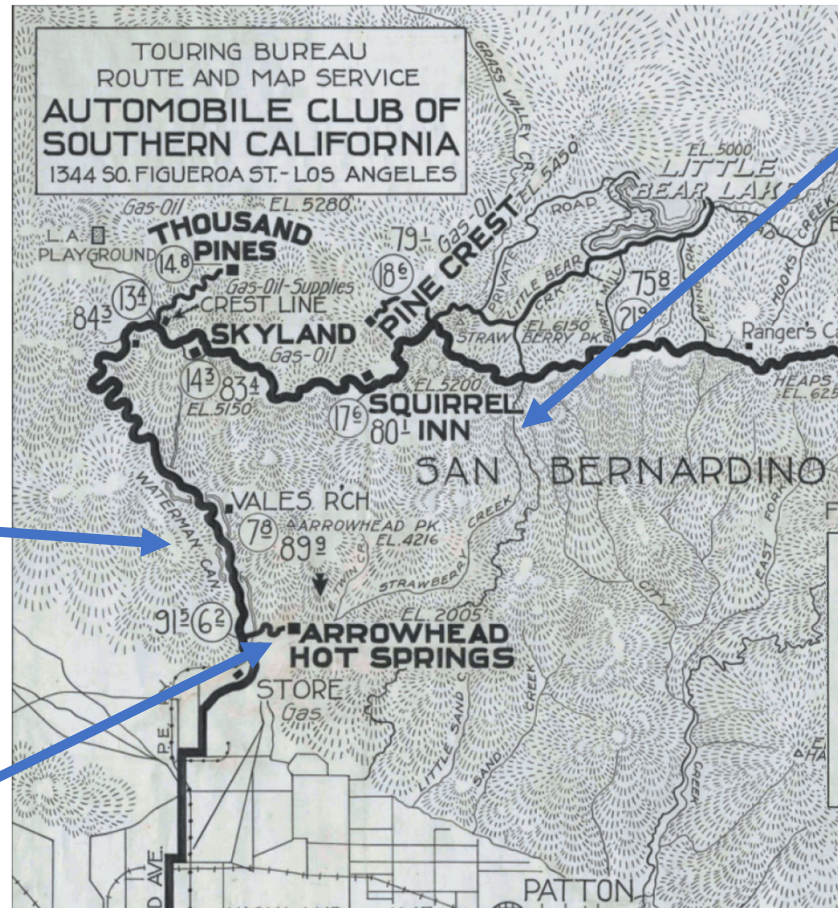
Arrowhead Springs Location

Auto Club Map
showing fishing
streams, including
Strawberry Creek to
its headwater springs

Headwaters of
Strawberry Creek

"Waterman
Can."

Arrowhead
Springs



Source: SOS 81
Auto Club 1915 Map

National Forest was Created in 1893

San Bernardino National Forest was created on February 25, 1893, including T2N, R3W. Neither BTB nor any of its predecessors ever claimed a water right (distinct obligation from state requirement).

Purpose of reserve was to protect the watershed and timber supply.

DEAR SIR:--Plats of the following townships, embraced within the San Bernardino Forest Reserve, were filed in the U. S. Land Office at Los Angeles, on April 2d, 1894, and settlers said lands are allowed ninety days from said date within which to make their filings, upon due proof of settlement of the land prior to the date of the President's proclamation, February 25, 1893, creating San Bernardino Forest Reserve, to-wit:

SOS 181
Highland Citrus Belt
(3/5/1894)
See also FR 32

SAN BERNARDINO.

SAN BERNARDINO, Aug., 28.—The following notice has been received by Col. Adolph Wood to be posted on the reservation in the San Bernardino mountains:

"DEPARTMENT OF THE INTERIOR,
"GENERAL LAND OFFICE,
"WASHINGTON, D. C., April 14.)

"Public notice is hereby given that these lands are set apart and reserved as a forest reservation, by proclamation of the president of the United States, under authority of the act of congress of March 3, 1891.

"This reservation is made for the benefit of the adjoining communities, being created to maintain a permanent supply of water for irrigation and of wood for local use by a rational protection of the timber thereon.

"All persons are hereby warned not to settle upon, occupy, or use any of these lands for agricultural, prospecting, mining, or other business purposes; nor to cut, remove, or use any of the timber, grass, or other natural product thereof, except under such regulations as may be hereafter prescribed.

"No person shall start or kindle or allow to be started or kindled any fire in the timber, grass, or undergrowth on these lands, or commit any other waste thereon; and the driving, feeding, grazing, pasturing, or herding of cattle, sheep or other live stock within this reservation is strictly prohibited.

"Bona fide settlers having properly initiated their claims prior to the withdrawal of the lands for said reservation,

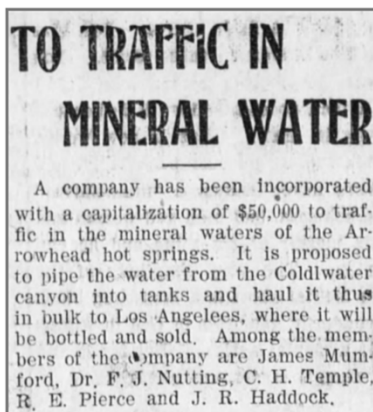
FR 33
Los Angeles Herald
(8/29/1894)

Bottling Works for water transferred to LA sourced from Cold Creek/Coldwater Canyon (1909)

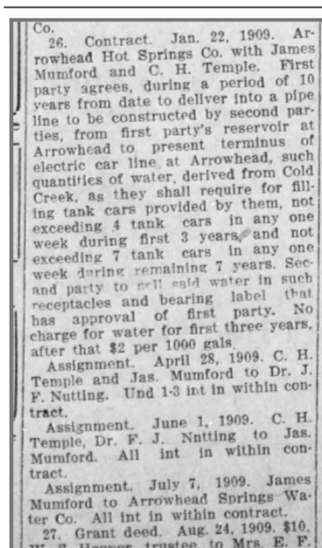
Water from Coldwater Canyon to be piped to tanks and then hauled to LA for bottling.

In 1909 Mumford contracts with AHS to obtain water derived from "Cold Creek" to be transported by the electric car line. On July 7, 1909, all rights under the contract were transferred to Arrowhead Springs Water Co.

Mumford et al. transfer interest in business bottling water from Cold Creek to the Arrowhead hotel



FR 93_3
San Bernardino Sun
05/08/1909



FR 93_2
San Bernardino Sun 8/25/1909

ARROWHEAD HOTEL PEOPLE TAKE CHARGE OF BOTTLING

The transfer of the interest of the three men, James Mumford, C. H. Temple and Dr. F. J. Nutting, who were going into a business to handle the water from Cold creek belonging to the Arrowhead Hotel company, to the latter named organization, was filed today with the county recorder, and hereafter the Arrowhead people will look after the bottling and shipping of the water.

FR 93_7
San Bernardino Sun
8/24/1909



FR 93_6
San Bernardino Sun 8/25/1909

Water Bottled in LA in 1909 was from Cold Creek

Arrowhead Springs Water Co. v. Arrowhead Hot Springs Co.
Case No. 11399 Findings and Conclusions of Law (June 30, 1910)

All of the water that Arrowhead Springs Water Co.
was taking for bottling in LA was from Cold Creek.

1 1909; and ever since the execution of said supplemental
2 agreement, the contract between the plaintiff and defendant
3 corporations has consisted of the said contract of date January
4 22, 1909, as modified by said supplemental agreement.
5 Third: From the time of said assignment of said contract
6 to the plaintiff continuously until the termination of said
7 contract, as hereinafter found, the defendant corporation fur-
8 nished and delivered water to the plaintiff, under and as
9 provided in said contract, which water was taken by the plain-
10 tiff to its place of business in the City of Los Angeles, in
11 said State, and at said place of business the plaintiff, during
12 all said time, engaged in the business of bottling and selling
13 a portion of said water so delivered and taken, and of man-
14 ufacturing from a portion of said water ginger ale, soda water
15 and other similar products, and bottling and selling such
16 manufactured products, a large portion of the water so delivered
17 to and taken by the plaintiff being used and consumed in the
18 manufacture of said products, and not being otherwise sold or
19 disposed of by the plaintiff.
20 Fourth. All the water so delivered to and taken by the plain-
21 tiff was water diverted and taken from the natural flow of the
22 stream known as Cold Creek, mentioned in said contract, and as
23 in said contract provided, and none of said water was taken
24 or derived from the Arrowhead Springs, or taken from any
25 springs whatever, and none of said water was mineral water or
26 water of the kind or character known as mineral water or as the
27 water of mineral springs, but all said water was water of said
28 Cold Creek, which was and is a natural mountain stream, the
29 water of which possesses no special or distinguishing character
30 other than its purity, its comparative freedom from mineral
31 and organic matter; all of which was at all times well known
32 to the plaintiff.

1910 Fight was over Cold Water Canyon

Arrowhead Springs Water Co. v. Arrowhead Hot Springs Co.

Case No. 11399 Testimony of John Brown (June 30, 1910) (FR 27_45 et seq.)

1910 case was about the use of the Arrowhead Trademark. John Brown knew the area and where water was drawn from. He testifies that "I know where the water comes from in the Cold Water Canyon. It comes principally from Arrowhead Mountain, the crevices, the fissures and strata of the Arrowhead Mountains furnishing principally the water of Cold Water Canyon." He further testified that David Noble Smith drew his water from Cold Water Canyon: "This Dave Smith Canyon I the West Fork of East Twin Creek and is called Cold Water Canyon Creek."

RECEIVED POST
ARROWHEAD AT LAW
JULY 1910

13 He gave them to Doctor Smith. At that time that land mark was
15 known as the "Ace of Spades". This "Arrowhead" business is
16 a modern affair. "Ace of Spades" was the name given by the
17 pioneers that settled the country, making a rough guess, since
18 thirty years ago it has been known as the "Arrowhead". I know
19 where the water comes from ~~and~~ the Cold Water Canyon. It comes
20 principally from Arrowhead Mountain, the crevices, the fissures
21 and strata of the Arrowhead Mountains furnishing principally
22 the water of Cold Water Canyon. They are springs, springing
23 right out ~~into~~ the mountain from the solid formation of rock
24 and may be seen there today. It comes out of the rocks and
25 from ~~several~~ from the crevices in the mountain from the West
26 side of the mountain. On the South side the Hot Springs come.
27 The "Arrowhead" is right on the top of the Arrowhead Mountain
28 in climbing to the West. I didn't say all the water coming
29 into the Canyon comes from Arrowhead Mountain. There is a
30 ~~spring~~ comes in from the "Squirrel Inn" country. Doctor Smith
31 first had his sanitarium where the hot springs are, near
32

-34-

1 where the present Arrowhead Hotel is, but after years of exper-
2 ience he got a man by the name of Heap to build a road down
3 in the Canyon and built him a sanitarium and the foundation
4 of the sanitarium is still there yet the building was
5 burned down. Right there is where he used the waters of the
6 Cold Water Canyon for medicinal purposes, curing people of
7 different complaints. Right above his house, the first little
8 fall he named "Electric Plung Bath", and just above it another
9 called "Wolf's Bath Tub", in which he put his patients and subject
10 them to a water cure, putting them in the water and bathing in it.
11 Q. What name were those Springs along Cold Water Canyon known
12 as?
13 A. They have always been known as Arrowhead Springs together
14 with the Arrowhead Hot Springs. We designated them differently,
15 the Hot Springs had the name of Arrowhead Hot Springs and the
16 springs that sprang from Arrowhead Mountain were known as the
17 Arrowhead Springs, they help to make Cold Water Canyon Creek.
18 Amongst the oldest pioneers here that are familiar with the
19 Country it has been known that way.

24 A. I know what I say is true, and I knew that before you
25 ever heard of the place. This Dave Smith Canyon is the West Fork
26 of East Twin Creek and is called ~~the~~ Cold Water. *Arrowhead Creek*
27

FR 27_45-47

1910 Fight was over Cold Water Canyon

Arrowhead Springs Water Co. v. Arrowhead Hot Springs Co.
Case No. 11399 Testimony of George Miller (June 30, 1910)

George Miller knew "Dr. Smith." He again identified the source of "Arrowhead" water as Cold Water Creek.

4
5 GEORGE MILLER, Witness called by plaintiff in rebuttal being
6 first duly sworn, testified as follows:
7 DIRECT EXAMINATION.
8 I have resided in Highland, San Bernardino County since 1860
9 I am president of the Pioneer Society. I am familiar with that
10 portion of the Country known as Arrowhead. I know Cold Creek
11 Canyon. I have been in it. I knew a Doctor Smith that had a
12 sanitarium and to bath people in it doctoring them. He first
13 used the hot springs a little North and East of the hotel. A
14 kind of a little pond, it is the mud baths. He ~~had~~ afterwards
15 moved to Cold Creek. He built a sanitarium ~~there~~ there. I have
16 been quite a ways up in the Canyon. I have observed the springs
17 which feed the Cold Water Creek. It was called the Ace of
18 Spades Canyon before I heard the name Cold Water Canyon. The water
19 ~~raise~~ necessary to make up this Cold Water Canyon from where the junc-
20 tion is ~~for~~ probably a mile, I guess from the Ace of Spades side
21 that ~~comes~~ ^{goes} to make up the little springs that come out ~~at~~ about
22 a mile. The name has since been changed from the Ace of Spades
23 to the Arrowhead. The springs that I speak of all ~~rise~~ ^{come} from the
24 East side of the Arrowhead Mountain.

FR 27_52

In 1910, Water used for Hotel and Bottling Was Routed to a Reservoir North and Upgradient from the Hotel

8 matter out at all. I have been up where the water is taken
9 from Cold Creek Canyon, which conveys it to the reservoir of
10 the defendant Company. It is taken from the East side of
11 Arrowhead Mountain, conveyed through a large pipe to a large
12 reservoir situated about a quarter of a mile North of the Hotel.
13 It is then conveyed from this reservoir to a large galvanized
14 iron tank, located at the terminus of the Electric Railway, and
15 is there turned into a large tank car holding approximately
16 6800 gallons of water, then conveyed to the Santa Fe and taken
17 to the Bottling Works in Los Angeles. The intake is about
18 three-fourths of a mile above the hotel. There are springs in
19 the immediate vicinity of the intake. The rocks in various

FR 27_53

Testimony of A.M. Donald

A.M. Donald described a "large reservoir situated about a quarter of a mile North of the Hotel" from which water was conveyed to be exported for botting.

S. F. Lee testified that the water feeding the reservoir came from Cold Creek Canyon, and corroborated the other testimony that this was the water sent to the LA bottling facility.

Arrowhead Springs Water Co. v. Arrowhead Hot Springs Co.

Case No. 11399 Testimony of A.M. Donald and S.F. Lee

(June 30, 1910)

6 dence as Plaintiff's Exhibit " L". For equipment for using
7 cold water in the hotel we have it piped from the reservoir for
8 drinking purposes. The water used on the table is the cold water.
9 The reservoir connects with Cold Water Canyon. It is the same
10 water taken from the same reservoir that the water which is
11 mentioned in this contract with the plaintiff corporation is
12 taken. We use the same water at the hotel that the plaintiffs
13 are selling and advertising. I know Mrs. Moore, wife of the

FR 27_41

Testimony of K.C.
Moore

18 MOORE'S TESTIMONY.
19 I have visited the intake where the water comes from
20 Cold Creek Canyon. About fifty yards from the intake pipe
21 there is a spring percolating from one side through a granite
22 formation about twenty-five yards on the opposite side, there
23 is also a spring. I think I counted from the intake pipe to
24 the divide of the Canyon something like twenty or twenty-one
25 springs flowing out of the fissures of the rock. That is the
26 same water that is carried to the reservoir at the Arrowhead
27 Hot Springs Hotel, and from there to the tank of the plaintiff
28 company, near the Railroad, and from there to the Bottling
29 Works in Los Angeles. I analyzed this water three or four

FR 27_60

Testimony of S.F.
Lee

K.C. Moores testified that the cold water used in the hotel came from the same reservoir as that used by the bottling works and that the source of this water was Cold Water Canyon.

Hotel drew water from other sources prior to 1914: Indian Springs and Cold Water Canyon

Fuente Frio

The Fuente Frio (Spanish—"Cold Spring"), is located in the bottom of the Arrowhead Canyon, about a quarter of a mile north of the hotel, at an elevation of 2260 feet. The overflow flows down this canyon, passing Penyu-gal Spring, on its way to the valley.

ORIGIN. The waters come to the surface in a broad belt of white feldspar (Albite), that crosses the canyon at this point. They pour forth in considerable volume forming a small creek at once. The bottom of the narrow canyon is filled with a luxurious growth of trees shading the waters completely. The steep sides of the gulch also keep the waters in the shade most of the day. There are no special improvements as yet of this spring beyond building an easy trail to it, and clearing out some around the place where the flow comes from. Even a brief inspection shows that a large amount of water may be developed in this gulch. The unusual purity of the water and its freedom from all organic matter is due to its boiling out of the feldspathic dike, and the sample being taken at this point. The formation is such that the water may be kept pure by excavating the rocks and forming a natural reservoir at this point. The elevation is sufficient to carry the water under high pressure to any desired point below, or even to use it for producing power on its way for domestic use.

It would also be an excellent water to bottle and put on the market.

Cold water was
drawn from north
and up-elevation
from the hotel.

Water from a cool spring, Fuente Frio, situated about a quarter of a mile north of the hotel, was placed on the local market as a table water during 1909. Agua Fria is the water of Cold Canyon, at the head of the pipe line leading to the main reservoir on the high mesa north of the hotel. Analyses of several of the springs are given on page 34.

SOS 002_033
Waring 1915

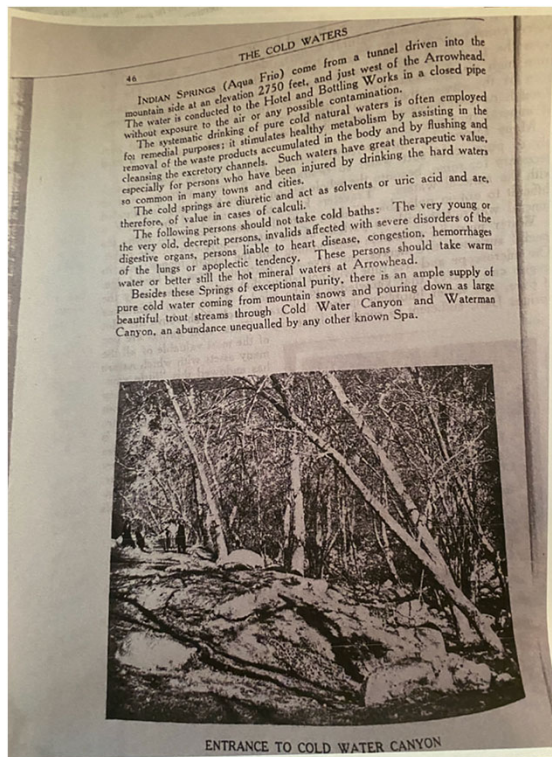
Agua Fria. (Cold Canyon)

The Agua Fria (Cold Water) is the water of Cold Canyon, at the head of the pipe line leading to the main reservoir on the high mesa north of the hotel. The elevation of the pipe head is about 2750 feet, or 750 feet higher than the hotel. The water comes from the granite rocks and is clear, sweet and palatable and wholly uncontaminated by organic or other matter. Its mineral contents are exceptionally light, making it practically as pure as distilled water, for reasons stated elsewhere.

FR 43_028-029
G.E. Baily (1910?)

The Waters Of Cold Canyon, Used For Bottled Water, The Hotel, And Soda Waters, Were Referred To As Fuente Frio, Agua Fria, And Indian Springs For The Next Decade

Water from a cool spring, Fuente Frio, situated about a quarter of a mile north of the hotel, was placed on the local market as a table water during 1909. Agua Fria is the water of Cold Canyon, at the head of the pipe line leading to the main reservoir on the high mesa north of the hotel. Analyses of several of the springs are given on page 34.



FR 41_2
Bailey

SATURDAY, OCTOBER 2, 1926

BOTTLING WILL BE DONE HERE

Arrowhead Springs Company
to Build Gate City
Plant Soon

Installation of a bottling plant at Arrowhead Springs, costing approximately \$8000, is announced by Charles G. Anthony, general manager of the Arrowhead Springs corporation.

San Bernardino, Colton, Riverside and Redlands are to be served with bottled spring water from this plant, Mr. Anthony states. The distribution in this territory is handled by the Ambler Warehouse company. Capacity of the plant will be 1000 five-gallon bottles of spring water daily.

At the present time, the Arrowhead Springs corporation is shipping the spring water to Los Angeles daily in glass-lined tank cars, where it is bottled for all of Southern California and shipped out to the cities named as bottled water. The new plant will enable

the company to avoid the double transportation.

"Our consumption of spring water this year will total 1,700,000 five-gallon bottles, or 8,500,000 gallons, giving us the largest spring water business in the world," said Mr. Anthony. "With 32 companies in California supplying spring water for drinking purposes, the Arrowhead Springs corporation, from its Indian Spring above San Bernardino, is supplying more than all the others put together. California is the first state in the union in the spring water business, exceeding Wisconsin by three million and New York by five million gallons last year. The natural purity and potability of our Indian Spring water makes it a great favorite in homes and offices throughout Southern California."

New York, Washington, Rhode Island and Connecticut will combine for their annual fall picnic of former residents of those states at Sycamore Grove park, Los Angeles, on Oct. 9.

Bank clearings announced yesterday totaled \$316,182.17.



FR 114_1
San Bernardino Sun 10/02/1926

LOS ANGELES EVENING EXPRESS

ARROWHEAD MOUNTAIN SPRING WATER IN BIG DEMAND BROUGHT TO LOS ANGELES IN GLASS LINED TANK CARS

A great, mystic Arrowhead, emblazoned by the hand of Nature on the side of one of the San Bernardino peaks, points to the most interesting health springs in all the world. Here a score of sparkling springs have flowed for untold ages and since time immemorial natives have trekked hundreds of miles from all parts of the historic West to bathe in and drink of the waters. From these famous Springs is secured the wonderful, soft, palatable water used in the production of the Arrowhead beverages. At the present time the Springs are serving as a health resort for our soldier boys, the United States Government having purchased the property from the Arrowhead Springs Company, but the company retained perpetual rights to the use of the water and only genuine Arrowhead Spring Water is used in producing Arrowhead beverages.

From Indian Spring at Arrowhead is obtained the water used in the blending of the beverages and it is the Spring from which Arrowhead Table Water is also secured. This sparkling, refreshing liquid, born of the virgin snow and filtered through miles of granite, is piped from Indian Spring directly into sanitary, glass-lined tank cars without contact to the air, and is transported over the Arrowhead private tank line direct to the Los Angeles bottling plant. This bottling plant, built by the Arrowhead Springs Company, is said to be the finest, most sanitary institution of its kind in the country. Here the liquid contents of the 10,000-gallon tank cars are transferred by pressure into huge glass-lined storage tanks. Before bottling, every bottle is sterilized, scoured, washed and made absolutely bacteria-free and are filled by automatic machines, sealed and certified for purity with the Arrowhead Stamp.

Arrowhead beverages are different from any other kind. In the first place, they are the only beverages in which Arrowhead mountain spring water is used. Secondly, the purest of true fruit juices are used in producing the drinks. Kwaa, the drink that "sparkles like champagne," is made from genuine red, ripe raspberries and Arrowhead Water. Arrowhead Ginger Ale is made by the special blending of the finest and most costly Jamaica Ginger extracts and Arrowhead Water. The other drinks—Arrowhead Orange, Grape, Cherry, Lemon and Root Beer, likewise are made from genuine flavors.

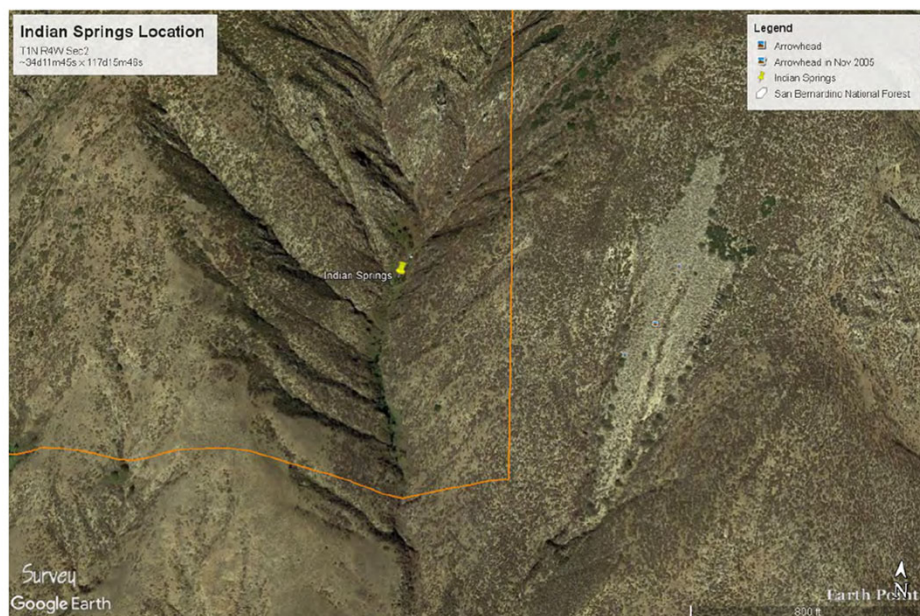
In addition to manufacturing the above enumerated beverages the Arrowhead Organization also distributes Schlitz, Acme and Anaheim beverages and Dr. Sweet's Boston Root Beer. All of these beverages are in wide demand in Southern California and Arrowhead ginger ale is declared to be in bigger demand than any other Ginger Ale. It is served at every leading cafe, restaurant and soda fountain and is shipped by the carload to Arizona and Northern California.

Interesting literature regarding the Arrowhead Springs, its waters, the health virtues of the water and the benefit derived in using Arrowhead Table Water, may be had by writing to the Arrowhead Springs Company, Corner Washington and Compton Sts., Los Angeles. Information regarding delivery of Arrowhead Water and beverages can also be secured at that address or by phoning to the plant—South 281.

FR 93_19
Los Angeles Evening Express (2/19/1921)

Location of Indian Springs

Location: Township 1N, Range 4W, Section 2 SE ¼



SOS 111
U.S. Forest Service Correspondence

In 2018, the U.S. Forest Service prepared a report identifying the location of Indian Springs.

Attorney Byron Waters, identified the location of Indian Springs in roughly the same location:

My attention has been called to the appropriation and use by the owner company and its predecessors of that certain water right emanating from the construction and use of the tunnel situated 1047.4 feet having bearing of North 26° 9' West from the northeast corner of Section 11, Township 1 North, Range 4 West, San Bernardino Base and Meridian and commonly known as "Indian Springs", the title to the water developed in said tunnel

FR 108
Letter from Byron Waters
(2/14/1929)

Location of Indian Springs



View from about 4 feet into right adit with dimensions of about 4 ft by 4 ft. Note lat/long variability due to being underground. Shallow pool of water extends about 10 feet to the curve in this picture (azimuth 52°) and an additional 16 feet past the turn (azimuth 338°). Significant sedimentation infilling.



The right hand adit was tunneled directly under the stream channel before turning to the right and into the hillside. Within the entrance area water was dripping off the ceiling. Further back in the adit there were occasional ceiling droplets into the shallow pool.

Indian Springs Site Visit Report

February 12, 2018



Old 5 inch pipe at outlet of right hand adit. Flow measured as 500 mL in 48 seconds. This is equivalent to 0.165 gpm or 0.266 afy.



The left hand adit was located on the west bank approximately 15 feet horizontally and 4 feet vertically from the right adit. The 32\"

SOS 111

U.S. Forest Service Correspondence

SOS 281 017

Waterman Canyon, a Source of Water for the Bottling Works and Hotel, Eventually Became Contaminated

The cold water supply at Arrowhead Springs is very pure, solids ranging from 85 to 110 parts per million, and the temperature is an almost constant 49 degrees Fahrenheit. Until 1930, the source of supply was the creek in Waterman Canyon, but new homes constructed up the canyon led to a deterioration in the quality of the water. A new source was sought. Mr. A. J. (Tony) Martins, grounds superintendent for the hotel for 30 years beginning in 1914, located a source in Strawberry Canyon at the 5300-foot level. It was decided to build two tunnels up the steep and rugged canyon. Conditions were so bad even pack animals could not be used to transport materials; men had to do it. They carried hundreds of sacks of sand, gravel and cement, besides 50-foot lengths of three-inch pipe, 150-pound cylinders of oxygen and acetylene, and other construction materials and equipment. Encounters with bears and huge rattlesnakes added spice to the job.

The cost of the two tunnels was very high--about \$15,000 each. Later methods utilized horizontal drilling techniques which cost only \$1,000 to \$3,000 each. Maintenance on the tunnels was very expensive, but negligible for the wells. Today, the water trucks still swing into the loading area near Waterman Canyon Road and deliver the water to the bottling plant in Los Angeles. The water is as popular as ever.

Around 1930, the Hotel began to search for additional water. Tony Martins, a hotel groundskeeper, identified the headwater springs of Strawberry Creek as a potential new source of spring water for the Hotel and bottling works.

In 1930, the source of Arrowhead Spring water was changed. The source of supply for bottling purposes at the bottling plants had been too water lots in Waterman Canyon. The construction of a number of homes in the Canyon resulted in a deterioration of the quality of the water in this development and it was decided that a new source of supply should be sought. Mr. H. B. Rock and

FR 152_3
Thompson 1976

FR 153
ETW (6/18/1976)

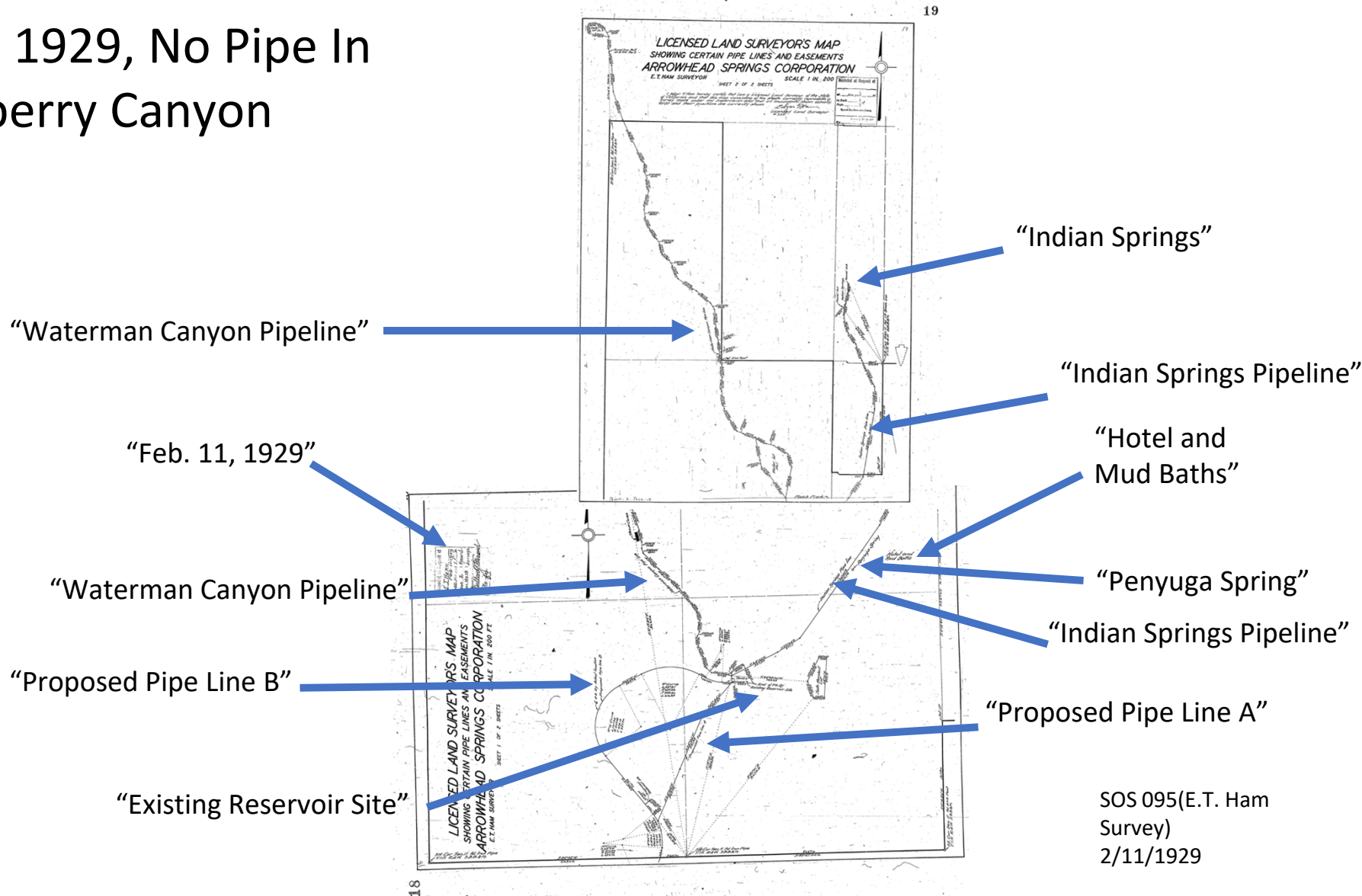
quality of the water in this development. A new source of supply should be sought. Mr. H. B. Rock and Mr. A. J. Martins reviewed the possibility of locations that were available for new development. ^{Mr. Martins} It was found that there were natural springs in the head waters of Strawberry Canyon at a elevation of 300 approximately 5,300 feet and, after sufficient reconnaissance work had been done and studies of the water made, it was decided that these springs should be developed as the new source. It was found that the water was of excellent quality and of sufficient quantity to supply the needs of the Company at that time and for many years to come. Spring No. 2 was placed in service in June of 1930 and it had sufficient volume so that it supplied all of the Company needs until several years later. In 1933, Spring No. 3 was developed as an additional source to supplement the supply of No. 2. ~~These three springs were the sole source of supply until 1934.~~ In 1934, Spring No. 7 was developed and added to the supply. These three springs were the sole source of supply of the Company until 1946 when Spring No. 1 was developed and added to the supply and redevelopment work was done in two locations at Spring No. 7. These latter were called Springs 7A and 7B. In 1948, Spring No. 8 was developed and added to the system.

FR 153_5

Strawberry Canyon's Headwater Springs Were Identified as the Next Source for the Bottling Works

The "natural springs in the head waters of Strawberry Canyon at an elevation of approximately 5,300 feet" were identified, and following "reconnaissance work" and "stud[ies] of the water." Spring No. 2 "had sufficient volume so that it supplied all of the Company needs until several years later."

Before 1929, No Pipe In Strawberry Canyon



Strawberry Canyon Untapped Prior to 1929

First: Consolidated agrees that it will, as soon as practicable after the execution of this agreement, and at its own cost and expense, construct and build a pipe line at least three inches outside diameter from the intake of the present pipe line of Arrowhead in Strawberry Canyon, constructed in 1929, to the springs located in upper Strawberry Canyon, twelve thousand three hundred (12,300) feet, more or less, north of the present pipe line intake of Arrowhead in Strawberry Canyon, and also that it will construct a pipe line of at least three inches outside diameter from the end of said pipe line in Strawberry Canyon belonging to Arrowhead one hundred (100) feet north of the tunnel in Cold Water Canyon to a point ten (10) feet north of the existing storage reservoir, having dimensions of 50' x 100', belonging to Arrowhead, back of the existing hotel building of Arrowhead, and also that it will construct a pipe line from the said reservoir to storage tanks and loading depot owned and operated by Consolidated west of Hot Water Canyon.

Second: Upon the completion of said pipe line by Consolidated, it may thereafter, without interference from Arrowhead, conduct all water developed by it in Strawberry Canyon through the pipe line so constructed by it, and also through the present pipe line constructed in 1929 by Arrowhead, which latter pipe line consists of six inch, four inch and three inch outside dimension steel pipe, and Arrowhead hereby grants Consolidated an easement to use for the purpose aforesaid Arrowhead's said pipe line and any line, whatever the size thereof, constructed by way of replacement thereof or substitution therefor. Of the water so developed and conveyed through said pipe line, Consolidated shall be entitled to one-half thereof, and Arrowhead shall be entitled to one-half, and the point of delivery of that portion of said water to which Arrowhead is entitled shall be the point in said pipe line ten (10) feet north of the said rectangular reservoir having a dimension of 50' x 100', back of the hotel building of Arrowhead. The method of measurement of said water, so that both Consolidated and Arrowhead shall receive their proper proportionate part thereof, shall be agreed upon by and

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between an engineer designated by Arrowhead and an engineer designated by Consolidated. If the two engineers so designated shall fail to agree, then they shall designate a third engineer who shall be impartial and the decision of any two of the three engineers thus designated shall be binding upon the parties hereto as to the method of measurement of said water.

FR 111_2-3
(8/30/1930)

bed rock gully lined with sand, sycamore, dogwood and other trees together with ferns and timber berry bushes. The junction of flow from all of the upper springs at the head of Strawberry Creek is at station 125+00, or 12,500 feet upstream from the old intake to the 4" pipe from Strawberry creek to the Arrowhead Hotel which was laid in 1929. About a quarter of a mile downstream from this junction point, the stream enters a little valley caused by faulting along the side of the San Bernardino Mountains. At this valley or cienega the flow is augmented by more springs. From the lower end of the cienega at station 84+00 to the first bed rock crossing

SOS 051_001
Rowe letter (5/15/1931)

Any pre-1914 rights are not held by BTB-1

Arrowhead Springs Corporation

2/27/1929

California Consolidated Water Company

1. A perpetual right and easement to use, operate, maintain, repair and replace the reservoirs, pipe lines, tunnels and collecting basins hereinafter described, together with the easement to enter and go across other property of the grantor hereinafter described, in order to use, operate, maintain, repair and replace such facilities and the other facilities hereinafter mentioned. The reservoirs, pipe lines, tunnels and collecting basins above mentioned are described as follows:

Water Lot No. 1 as shown and delineated on Licensed Surveyor's Map "Showing Certain Pipe Lines and Easements Arrowhead Springs Corporation", recorded in Book 2, Record of Surveys, Pages 18 and 19.

Water Lot No. 2 as shown and delineated on said Licensed Surveyor's Map recorded in Book 2, Records of Surveys, Pages 18 and 19.

Also the existing reservoir site and tanks as shown on said Licensed Surveyor's Map.

Also the proposed reservoir site as shown on said Licensed Surveyor's Map.

Also a right of way 10 feet wide for pipe line the center line of which is designated as "Waterman Canyon Pipe Line" on said Licensed Surveyor's Map.

Also a right of way 10 feet wide for pipe line, the center line of which is designated as "Indian Springs Pipe Line" on said Licensed Surveyor's Map.

Also a right of way 40 feet wide for pipe line designated as "Proposed Pipe Line B", the

"Proposed Pipe Line A"

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center line of which is the center line of Pacific Electric Railway as shown on said Licensed Surveyor's Map.

Also a right of way 10 feet wide for pipe line the center line of which is designated as "Proposed Pipe Line A" on said Licensed Surveyor's Map.

Also a perpetual easement to lay, construct, erect, use, operate, maintain, repair and replace necessary additional reservoirs, pipe lines, tunnels, collecting basins and similar facilities as may be hereafter needed by the grantee, its successors or assigns, in, on and across other property of the grantor, hereinafter described.

Also all pipe lines, pipe racks and loading facilities for the transportation of water from the existing collecting basins and tunnels of the grantor to Pacific Electric Railway, or elsewhere, and also all reservoirs and tanks of the grantor, now being used by it in the development and distribution of its water.

2. All subterranean waters in Waterman Canyon (also known as West Twin Creek) and in Strawberry and Cold Water Canyons (also known as East Twin Creek), belonging to the grantor, including all waters now being developed and produced by said grantor in said Canyons, together with such additional subterranean waters now belonging to the grantor as the grantee, its successors or assigns, may hereafter desire to develop, together with necessary rights of way for pipe lines to convey such water to the reservoirs of the grantee, its successors or assigns, and the right to go upon the premises of the grantor and erect necessary tunnels and collecting basins for the development of such water; excluding, however, all water of the grantor from surface streams and hot springs.

3. Also whatever rights and interests ARROWHEAD SPRINGS CORPORATION owns and possesses in water flowing from Indian Springs and in the tunnels located at and adjoining said Springs.

4. Also, in the event of emergency creating a shortage in the supply of water available to grantee, its successors or assigns, from the above sources of supply, the right and privilege on the part of the grantee, its successors or assigns, to take hot water from any of the springs or other sources of supply owned or controlled by the grantor in such amounts and at such times as will not interfere with or interrupt the hot water uses and service of the grantor.

FR 110_1-2 (referenced map is SOS 095)

Consolidated Gave Up Any Right to Water in Indian Creek and Cold Water Canyon in 1930

Arrowhead Springs Corporation



California Consolidated Water Company

Arrowhead hereby grants to Consolidated (without any warranty whatsoever, except the warranty that Arrowhead has not conveyed or transferred to any other person the same right, or any right, title or interest therein) the sole and exclusive right to develop water from any and all sources whatever, whether surface, subterranean, seepage or otherwise, in Strawberry Canyon, and whether within or without the real properties now owned by Arrowhead, and hereby grants to Consolidated (without any warranty whatsoever, except the warranty that Arrowhead has not conveyed or transferred to any other person the same right, or any right, title or interest therein) one-half of all water developed from any and all sources whatever in Strawberry Canyon, reserving to itself one-half of all such water.

FR 111_3

Fifth: In consideration of the premises, Consolidated does hereby wholly release, surrender and quitclaim unto Arrowhead any right whatsoever which it may have obtained by virtue of said contracts and/or said warranty deed, or otherwise, to any surface or sub-surface water existing in Cold Water Canyon within or outside of the boundaries of the real estate owned by Arrowhead.

FR 111_3

Ninth: Notwithstanding any expression in said warranty deed, Consolidated shall not be entitled to any water flowing from Indian Springs and/or from the tunnels located at and adjoining said springs, except such surplus of said water as may exist after Arrowhead has made use of the same for all drinking and culinary purposes in and about its hotel, bungalows and out-buildings, and Consolidated does hereby release and quitclaim unto Arrowhead any right to the use of said water from Indian Springs and/or tunnels adjacent thereto, which it may have obtained by virtue of said contracts and/or warranty deed, except the right to the surplus above described. Consolidated hereby quitclaims to Arrowhead a perpetual easement to use, operate, maintain, repair and replace the Indian Springs pipe line of Consolidated, and Arrowhead agrees to maintain said pipe line and replace the same in whole or in part when and as often as it or any part thereof becomes worn out.

FR 111_4

On August 6, 1930, Arrowhead Springs Corp. made an unwarranted grant to Consolidated of whatever right Arrowhead had to develop waters of Strawberry Canyon. In exchange, Consolidated gave up any rights to water from Indian Springs and Cold Water Canyon.